

HOUSE No. 756

By Mr. O'Flaherty of Chelsea, petition of Eugene L. O'Flaherty relative to the appointment of guardians ad litem by the Probate Court to investigate custody proceedings involving children and domestic relations matters. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE APPOINTMENT OF A GUARDIAN AD LITEM TO INVESTIGATE THE FACTS OF ANY PROCEEDING INVOLVING THE CARE, CUSTODY OR MAINTENANCE OF MINOR CHILDREN AND DOMESTIC RELATIONS MATTERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 215 of the General Laws, as appearing in the 1996
2 Official Edition, is hereby amended by striking section 56A and
3 inserting in place thereof the following section:—
4 Section 56A. Any judge of a probate and family court may
5 appoint a guardian ad litem to investigate the facts of any pro-
6 ceeding pending in said court relating to or involving questions as
7 to the care, custody or maintenance of minor children and as to
8 any matter involving domestic relations except those for the
9 investigation of which provision is made by section sixteen of
10 chapter two hundred and eight. Said guardian ad litem shall,
11 before final judgment or decree in such proceeding, report in
12 writing to the court the results of the investigation, and such
13 report shall be open to inspection to all the parties in such pro-
14 ceeding or their attorneys. The compensation, together with any
15 expense, shall be fixed by the court and shall be paid by the com-
16 monwealth, upon certificate by the judge to the state treasurer or
17 by one or both of the parties, as the court may order. The state
18 police, local police and probation officers shall assist the guardian
19 ad litem so appointed, upon his request.